

RIGHTS, PRIVILEGES, AND IMMUNITIES OF CONSULAR OFFICERS

*Convention signed at Washington February 24, 1881, supplementing
convention of May 8, 1878*

Senate advice and consent to ratification May 5, 1881

Ratified by Italy May 8, 1881

Ratified by the President of the United States May 10, 1881

Ratifications exchanged at Washington June 18, 1881

Entered into force June 18, 1881

Proclaimed by the President of the United States June 29, 1881

*Abrogated by the United States July 1, 1916, in accordance with Sea-
man's Act of March 4, 1915*¹

22 Stat. 831; Treaty Series 179

CONVENTION SUPPLEMENTARY TO THE CONSULAR CONVENTION OF MAY 8, 1878, BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY THE KING OF ITALY

Whereas question has arisen at divers times between the government of the United States of America and the government of His Majesty the King of Italy, touching the interpretation of the eleventh article of the Convention between the two countries, concerning the rights, privileges and immunities of Consular Officers, signed at Washington on the eighth day of May, one thousand eight hundred and seventy-eight,² and especially with respect to so much of said article as defines and limits the jurisdiction of the authorities of the country and of the Consular Officers, with regard to offenses and disturbances on shipboard, while in port; and whereas the high contracting parties, have deemed it expedient to remove for the future all ground of question in the premises, by substituting a new article in place of the said eleventh article of that Convention; the United States of America and His Majesty the King of Italy, have resolved to conclude a special supplementary Convention to that end and have appointed as their Plenipotentiaries:

The President of the United States: William Maxwell Evarts, Secretary of State of the United States, and His Majesty the King of Italy: Paul

¹ 38 Stat. 1164.

² TS 178, *ante*, p. 94.

Beccadelli Bologna, Prince of Camporeale, his Chargé d'Affaires in the United States of America; who, after communicating to each other their full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I

The eleventh article of the Consular Convention of May 8, 1878, between the United States of America and Italy, is hereby annulled and in its place the following article is substituted, namely:

Consuls General, Consuls, Vice Consuls and Consular Agents shall have exclusive charge of the internal order of the merchant vessels of their nation and shall alone take cognizance of differences which may arise either at sea or in port between the captains, officers and crews, without exception, particularly in reference to the adjustment of wages and the execution of contracts. In case any disorder should happen on board of vessels of either party, in the territorial waters of the other, neither the Federal, State or Municipal Authorities or Courts in the United States nor any Court or Authority in Italy, shall on any pretext interfere except when the said disorders are of such a nature as to cause or be likely to cause a breach of the peace or serious trouble in the port or on shore; or when, in such trouble or breach of the peace, a person or persons shall be implicated, not forming a part of the crew. In any other case, said Federal, State or Municipal Authorities or Courts in the United States, or Courts or Authority in Italy, shall not interfere but shall render forcible aid to Consular Officers, when they may ask it, to search, arrest and imprison all persons composing the crew, whom they may deem it necessary to confine. Those persons shall be arrested at the sole request of the Consuls addressed in writing to either the Federal, State or Municipal Courts or Authorities in the United States, or to any Court or Authority in Italy, and supported by an official extract from the register of the ship or the list of the crew, and the prisoners shall be held during the whole time of their stay, in the port at the disposal of the Consular Officers. Their release shall be granted at the mere request of such officers made in writing. The expenses of the arrest and detention of those persons, shall be paid by the Consular Officers.

ARTICLE II

This supplementary Convention shall be ratified in conformity with the laws of the respective countries, and the ratifications thereof shall be exchanged at Washington, as soon as possible after the date hereof, and immediately upon such exchange, the foregoing form of the said article XI shall become effective and have the same force as the other articles of the Convention of the eighth day of May of the year 1878 and the same duration.

In faith whereof, the respective Plenipotentiaries have signed this Convention and have thereunto affixed their seals.

Done in duplicate at Washington, the twenty-fourth day of February, Anno Domini, one thousand eight hundred and eighty-one.

WILLIAM MAXWELL EVARTS	[SEAL]
CAMPOREALE	[SEAL]